



WEB COPY



W.P. No. 18491 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 18491 of 2023

Ida Vimala Kumari

... Petitioner

-VS-

1. The Managing Director,
The Greater Chennai Corporation Official's
Co-operative Society
(Va. Thu. 5125)
Rippon Building,
Chennai – 600003.

2. The Secretary,
The Greater Chennai Corporation Official's
Co-operative Society
(Va. Thu. 5125)
Rippon Building,
Chennai – 600003.

3. Ananthi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records in relating impugned unnumbered reply letter dated 12.05.2023 issued by the Second Respondent and quash the same and consequently direct the First and Second Respondents to release the Petitioner Fixed Deposit Amount of Rs. 15,50,000/- without any condition.

For Petitioner

: Mr. G.Anbuchezeian



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For Respondents

: Mr. G.Ameedius,
Government Advocate (for R1 & R2)

No appearance (for R3)

ORDER

Heard Mr. G.Anbuchezeiyan, Learned Counsel for the Petitioner and Mr. G.Ameedius, Learned Government Advocate appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that the First and Second Respondents are unlawfully withholding the Fixed Deposit of Rs. 15,50,000/- invested by her towards dues owed by the Third Respondent.

3. It is settled position of law that disputed questions of fact relating to rights, which are private in character and do not have any element of public law involved, require full fledged trial by recording of evidence of parties and cannot be decided in a summary manner in proceedings under [Article 226](#) of the Constitution of India.



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4. In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to work out her remedies for the relief sought before the proper forum in the manner recognized by law.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarification.

03.11.2023

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Index: Yes/No

NCS : Yes

Note: Issue order copy by 31.01.2024.

To

1. The Managing Director,
The Greater Chennai Corporation Official's
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(Va. Thu. 5125)
Rippon Building,
Chennai – 600003.
2. The Secretary,
The Greater Chennai Corporation Official's
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P.D. AUDIKESAVALU, J.

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